

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

VISTO CORPORATION,

Plaintiff,

v.

RESEARCH IN MOTION LIMITED, and
RESEARCH IN MOTION CORPORATION,

Defendants.

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Case No. 2:07-cv-375-TJW/CE

Jury Trial Demanded

ORDER

Before the Court is Plaintiff Visto Corporation's ("Visto") Unopposed Motion to Dismiss Visto's Claims Relating to the '201, '542 and '131 Patents. Having considered the motion, the Court is of the opinion that it is well taken and should be GRANTED.

The Court therefore ORDERS that Visto's counts alleging infringement of U.S. Patent Nos. 5,857,201; 6,423,542; and 5,968,131 by Defendants Research In Motion Limited and Research In Motion Corporation are DISMISSED WITH PREJUDICE. Each party shall bear its own fees and expenses with respect to these counts.

SIGNED this 29th day of May, 2009.


CHARLES EVERINGHAM IV
UNITED STATES MAGISTRATE JUDGE